

In The Claims:

Please cancel claims 1-3, 5, 9-15, 26, 27, 29 and 33-39 without prejudice and subject to Applicant's right to prosecute all canceled subject matter in related applications, and amend claims 4, 6, 16, 17, 19-22, 28, 30, 40, 41, 43-51 and 56-60 so that the claims hereafter read as follows:

1. - 3. (Canceled)

4. (Currently Amended) The method according to claim 19 3, wherein said therapeutic warmth is provided by a ball maintaining a surface temperature of at least 95°F; and wherein said therapeutic cold is provided by a ball maintaining a surface temperature of not greater than 70°F.

5. (Canceled)

6. (Currently Amended) The method according to claim 19 2, wherein said ball is about 1.75 inches in diameter and weighs between about 12 and about 14 ounces.

7. (Original) The method according to claim 6, wherein said ball is composed of a material selected from Chrome Steel, Chrome Steel 52100, 302 Stainless Steel, 304 Stainless Steel, 316 Stainless Steel, 316L Stainless Steel, 440 Stainless Steel or 420 Stainless Steel.

8. (Original) The method according to claim 7, wherein said ball is composed of Chrome Steel 52100 or 420 stainless steel.

9. - 15. (Canceled)

16. (Currently Amended) The method according to claim 19 9, wherein said ball is about 1.75 inches in diameter and weighs between about 3 and about 10 ounces.

17. (Currently Amended) The method according to claim 16 9, wherein said material is selected from 1100 Aluminum, 2017 Aluminum, 2011 Aluminum, 6061 Aluminum, 7074 Aluminum 7075 Aluminum and Aluminum Bronze.

18. (Original) The method according to claim 17, wherein said material is Aluminum 2011.

19. (Currently Amended) A The method of claim 1 simultaneously providing an effective massage and a therapeutic hot or cold treatment to an underside surface of a human foot comprising the steps of:

- a) simultaneously contacting a freestanding ball with both the underside surface of the foot and a rigid surface; and
- b) moving said foot while maintaining sufficient pressure between said ball and said underside of the foot so as to roll said ball against both said rigid surface and said underside of the foot for a time sufficient to administer said effective massage,

wherein said ball is between 1.5 and 2 inches in diameter, said ball weighs between 3 and 24 ounces, said ball does not deform during said massage, and said ball is sufficiently cold or sufficiently warm to provide the user with therapeutic cold or warmth during the course of an effective massage, wherein said ball optionally comprises an aperture and wherein said ball optionally contains a flat face,

wherein said ball contains three apertures, wherein each of said apertures runs through a diameter of said ball corresponding to each of the X-, Y- and Z-axes, wherein the diameter of each aperture is about 3/8 inches and wherein said ball is made of a material which

a) when submerged in or held under running hot water having a temperature of about 115°F for ten seconds immediately prior to initiation of said massage will provide therapeutic warmth for at least three minutes during said massage at an air temperature of between 65°F and 75°F; and

b) when submerged in or held under running cold water having a temperature of about 55°F for ten seconds immediately prior to initiation of said massage will provide therapeutic cold for at least three minutes during said massage at an air temperature of between 65°F and 75°F.

20. (Currently Amended) The method according to claim 19 9, wherein said ball is ball is anodized and polished.

21. (Currently Amended) The method according to claim 19 4, wherein said ball is magnetized.

22. (Currently Amended) The method according to claim 19 ~~1~~, wherein said ball has a flat face.

23. (Original) The method according to claim 22, wherein said flat face is circular and has a diameter of between about 1/16 to 3/8 inches.

24. (Original) The method according to claim 23, wherein the diameter of said flat face is about 1/8 inch.

25. (Original) The method according to claim 22, wherein said ball has an aperture through said flat face of at least 1/4 inches in length.

26. - 27. (Canceled)

28. (Currently Amended) The massage ball kit according to claim 43 ~~27~~, wherein said therapeutic warmth is provided by a ball maintaining a surface temperature of at least 95°F; and wherein said therapeutic cold is provided by a ball maintaining a surface temperature of not greater than 70°F.

29. (Canceled)

30. (Currently Amended) The massage ball kit according to claim 43 ~~28~~, wherein said ball is about 1.75 inches in diameter ~~and weighs between about 12 and about 14 ounces.~~

31. (Original) The massage ball kit according to claim 30, wherein said ball is composed of a material selected from Chrome  
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Steel, Chrome Steel 52100, 302 Stainless Steel, 304 Stainless Steel, 316 Stainless Steel, 316L Stainless Steel, 440 Stainless Steel or 420 Stainless Steel.

32. (Original) The massage ball kit according to claim 31, wherein said ball is composed of Chrome Steel 52100 or 420 Stainless Steel.

33. - 39. (Canceled)

40. (Currently Amended) The massage ball kit according to claim 43 ~~26~~, wherein said ball is about 1.75 inches in diameter and weighs between about 3 and about 10 ounces.

41. (Currently Amended) The massage ball kit according to claim 40 ~~26~~, wherein said material is selected from 1100 Aluminum, 2017 Aluminum, 2011 Aluminum, 6061 Aluminum, 7074 Aluminum 7075 Aluminum or Aluminum Bronze.

42. (Original) The massage ball kit according to claim 41, wherein said material is Aluminum 2011.

43. (Currently Amended) A massage ball kit comprising a single, individually packaged ball having a diameter of between 1.5 and 2 inches, a weight of between 3 and 10 ounces, said ball containing three apertures, wherein each of said apertures runs through a diameter of said ball corresponding to each of the X-, Y- and Z-axes, respectively, of said ball; wherein the diameter of each aperture is about 3/8 inches and wherein said ball is made of a material which:

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a) when submerged in or held under running hot water having a temperature of about 115°F for ten seconds immediately prior to initiation of said massage will provide therapeutic warmth for at least three minutes during said massage at an air temperature of between 65°F and 75°F;

b) when submerged in or held under running cold water having a temperature of about 55°F for ten seconds immediately prior to initiation of said massage will provide therapeutic cold for at least three minutes during said massage at an air temperature of between 65°F and 75°F; and

c) does not deform during said massage;  
wherein said massage comprises simultaneously contacting said ball with both the underside surface of a foot and a rigid surface; and moving said foot while maintaining sufficient pressure between said ball and said underside of the foot so as to roll said ball against both said rigid surface and said underside of the foot for a time sufficient to administer said massage, wherein said ball optionally contains a flat face; and  
instructions for using said ball to massage an underside of a human foot.[.]

44. (Currently Amended) The massage ball kit according to claim 43 26, wherein said ball is anodized.

45. (Currently Amended) The massage ball kit according to claim 43 26, wherein said ball is magnetized.

46. (Currently Amended) The massage ball kit according to claim 43 26, additionally comprising a device for heating and/or cooling said ball.

47. (Currently Amended) The massage ball kit according to claim 43 ~~26~~, additionally comprising a mat having at least one non-skid surface.

48. (Currently Amended) The massage ball kit according to claim 43 ~~45~~, additionally comprising a mat having magnetic properties.

49. (Currently Amended) The massage ball kit according to claim 43 ~~26~~, additionally comprising a storage device for said ball.

50. (Currently Amended) The massage ball kit according to claim 43 ~~45~~, additionally comprising a storage device having magnetic properties.

51. (Currently Amended) The massage ball kit according to claim 43 ~~26~~, wherein said ball has a flat face.

52. (Original) The massage ball kit according to claim 51, wherein said flat face is circular and has a diameter of between about 1/16 to 3/8 inches.

53. (Original) The massage ball kit according to claim 52, wherein the diameter of said flat face is about 1/8 inch.

54. (Original) The massage ball kit according to claim 51, wherein said ball has an aperture through said flat face of at least ¼ inches in length.

55. (Original) A massage ball having:

a) a weight of between 3 and 24 ounces;

b) a diameter of between  $1 \frac{1}{2}$  and 2 inches;

c) between 2 and 6 apertures, wherein each aperture runs entirely through the ball; each aperture intersects every other aperture and each aperture has a diameter of between  $\frac{1}{16}$  and  $\frac{3}{4}$  inches,

wherein said ball is made of a material which:

d) when submerged in or held under running hot water having a temperature of about  $115^{\circ}\text{F}$  for ten seconds immediately prior to initiation of an effective foot massage will provide therapeutic warmth for at least three minutes during said massage at an air temperature of between  $65^{\circ}\text{F}$  and  $75^{\circ}\text{F}$ ;

e) when submerged in or held under running cold water having a temperature of about  $55^{\circ}\text{F}$  for ten seconds immediately prior to initiation of said effective foot massage will provide therapeutic cold for at least three minutes during said massage at an air temperature of between  $65^{\circ}\text{F}$  and  $75^{\circ}\text{F}$ ; and

d) does not deform during said massage.

56. (Currently Amended) The massage ball according to claim 55 ~~53~~, wherein said ball has a weight of between 3 and 10 ounces.

57. (Currently Amended) The massage ball according to claim 55 ~~53~~, wherein said ball has a diameter of about  $1 \frac{3}{4}$  inches.

58. (Currently Amended) The massage ball according to claim 55 ~~53~~, wherein each of said apertures has a diameter of between  $\frac{1}{4}$  and  $\frac{1}{2}$  inches.



59. (Currently Amended) The massage ball according to claim 55 ~~53~~, wherein said ball contains three apertures, wherein each of said apertures runs through a diameter of said ball corresponding to each of the X-, Y- and Z-axes, respectively, of said ball; and wherein the diameter of each aperture is about 3/8 inches.

60. (Currently Amended) The massage ball according to claim 55 ~~53~~, wherein said ball is made of a material selected from 1100 Aluminum, 2017 Aluminum, 2011 Aluminum, 6061 Aluminum, 7074 Aluminum 7075 Aluminum or Aluminum Bronze.